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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
OLE-BENDT RASMUSSEN)
Appl. S. N. 10/506,419) ART UNIT 1772
Filed: September 02, 2004) EXAMINER B. T. O HERN
Corresponding to Inter. Appln. PCT/EPO03/02827)
For: CROSS-LAMINATE OF ORIENTED FILMS, METHODS)
OF MANUFACTURING SAME, AND COEXTRUSION)
DIE SUITABLE IN THE PROCESS)

McLean, VA
March 24, 2006

RESPONSE TO RESTRICTION REQUIREMENT AND

SECOND PRELIMINARY AMENDMENT

Hon. Commissioner of Patents & Trademarks
P. O. Box 1450
ALEXANDRIA, VA 22313-1450

04/25/2006 HKAYPAGH 00000134 10506419

Sir:
01 FC:1206 500.00 OP

Void Date: 04/24/2006 TLWJ11
04/24/2006 HMRZ11 00000051 10506419
01 FC:1202 500.00 OP

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In response to the two-way restriction requirement dated March 23, 2006, applicant provisionally elects the product subject-matter with traverse with respect to product vs. method of preparation but without traverse with respect to product vs. apparatus or method vs. apparatus. As to the first, reconsideration is necessary because due to a misapprehension of the undersigned attorney, main product claim 1 was at the least confusing, in not inaccurate, as to the manner of extrusion of the respective "films A and B". In fact (and claim 1 is being corrected via the following "second preliminary amendment"), the films are extruded separately rather than as a unitary material. What is coextruded together are the component layers of each film and after their separate "coextrusion" and orientation, the multi-layer films are brought into sandwich relation for further processing. A similar mistake

in main method claim 23, that the films are brought together "in sandwich relation in the coextrusion die", is likewise being corrected in the second preliminary amendment to make clear that the respective films are separately extruded.

With the amendment of main product claim 1 and main process claim 23 to call for separate extrusion of the individual films A and B, the stated basis of the restriction of product vs. method no longer exists and this requirement must be reconsidered. Given the very close relationship between the product and method of its preparation of this invention, it is submitted that prosecution of these together as a single application makes eminently good sense and would result in a saving of resources for both the PTO and the applicant.

A different situation exists with regard to the apparatus. The main apparatus claim 37 is directed to a "circular extrusion die" whereas main method claim 23 calls for formation of films A and B in "a flat or circular die" whereas the main product claim naturally is not limited as to die structure. Moreover, and perhaps more important substantively speaking, the die structure of claim 37 is for making a single multi-layer film, not a "laminate" as contemplated by the product and method. Accordingly, restriction of the apparatus claims is accepted.

Retention of claims to non-elected subject matter is requested pending a decision as to divisional filing.

SECOND PRELIMINARY AMENDMENT

Supplementing the preliminary amendment filed with the original application, please amend this application as follows. (A fee computation appears on the last page.)

In the claims: